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JOSEPH C. FRAULOB – State Bar #194355
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANGIE KAY TRAXLER,
Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Civil Action No: 2:21-cv-01494-CKD

**STIPULATION & ORDER FOR
EAJA FEES**

IT IS HEREBY STIPULATED by the parties, through their undersigned attorneys, and with the approval of the Court as provided below, that Plaintiff be awarded attorney fees under the Equal Access To Justice Act (EAJA) 28 U.S.C. 2412(d), in the amount of four thousand, four hundred and fourteen dollars and seventy-five cents (\$4,414.75). This amount represents compensation for all legal services rendered on behalf of Plaintiff by her counsel in connection with this civil action, in accordance with 28 U.S.C. 2412(d).

After the Court issues an order for EAJA fees to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees to Plaintiff's attorney. Pursuant to Astrue v. Ratliff, 130 S.Ct. 2521 (U.S. June 14, 2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the

1 Treasury's Offset Program. After the order to EAJA fees is entered, the government will
2 determine if it is subject to any offset.

3 Fees and costs shall be made payable to Plaintiff, but if the Department of the Treasury
4 determines that Plaintiff does not owe a federal debt, then the government shall cause the
5 payment of fees and costs to be made directly to Plaintiff's counsel Joseph Fraulob, pursuant to
6 the written assignment executed by Plaintiff. Any payments shall be delivered to Plaintiff's
7 counsel Joseph Fraulob.
8

9 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA
10 attorney fees and does not constitute an admission of liability on the part of Defendant under the
11 EAJA. Payment of the agreed amount shall constitute a complete release from, and bar to, any
12 and all claims that Plaintiff and/or Plaintiff's counsel may have relating to EAJA attorney fees
13 and/or costs in connection with this action.
14

15
16 Dated: 01/04/2023

/ s / Joseph Fraulob
JOSEPH FRAULOB
Attorney for Plaintiff

17
18 Dated: 01/04/2023

PHILLIP A. TALBERT
United States Attorney

19
20 By: / s / Margaret Lehrkind
21 (As Authorized via Email)
22 MARGARET LEHRKIND
23 Special Assistant U.S. Attorney
24 Attorney for Defendant

25 ORDER

26 APPROVED AND SO ORDERED.

27 Dated: January 6, 2023

28 
CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE